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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,510	07/22/2003	Hideshi Hamaguchi	239397US90	5799

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
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2137

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/623,510	Applicant(s) HAMAGUCHI ET AL.	
	Examiner Paul Callahan	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19 and 21 is/are allowed.
- 6) ☒ Claim(s) 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-21 are pending in the instant application and have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 20 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Choi, US 5,317,304.

Choi teaches an anti-theft device for a computer device (abstract), comprising: detecting means for detecting impact (fig.5 element 22: Motion Sensor, col. 4 lines 29-34); detection processing means for outputting a signal based on the impact (fig. 5 elements 22: Motion Sensor, 23: Trigger Capturing Circuit, 24: Microprocessor, 13: Alarm, col. 2 lines 25-41, col. 3 lines 48-61, col. 4 lines 48-67, fig. 6 element 56: Sound Buzzer); connecting means for facilitating electrical connection between the computer device and detection processing unit (fig. 1: From Equipment); indicating means for providing indication according to the signal (col. 3 line 15-20); and a protrusion portion

positioned to protrude from the computer device when the connection means is connected to the computer device, wherein the indicating means is provided in the protrusion portion (fig. 3 element 10: "Box Type" configuration).

4. Claim 20 is rejected in the alternative under 35 U.S.C. 102(b) as being clearly anticipated by Stephens, US 6,137,409.

Stephens teaches an anti-theft device for a computer device (abstract), comprising: detecting means for detecting impact (fig. 4, element 90: Motion Detecting Switch, col. 4 lines 50-54); detection processing means for outputting a signal based on the impact (col. 5 lines 54-60); connecting means for facilitating electrical connection between the computer device and detection processing unit (col. 4 lines 25-27); indicating means for providing indication according to the signal (col. 4 lines 55-60); and a protrusion portion positioned to protrude from the computer device when the connection means is connected to the computer device (fig. 1 element 40), wherein the indicating means is provided in the protrusion portion (fig. 2, elements 31, 29, col. 3 lines 27-31).

5. Claim 20 is rejected in the alternative under 35 U.S.C. 102(e) as being anticipated by Lee et al., US 6,970,095.

Lee teaches an anti-theft device for a computer device (abstract), comprising: detecting means for detecting impact (fig.) Element 20: Accelerometer, col. 4 lines 18-20); detection processing means for outputting a signal based on the impact (col. 4 lines

33-40, fig. 2, element 22: Microprocessor); connecting means for facilitating electrical connection between the computer device and detection processing unit (col. 4 lines 24-28); indicating means for providing indication according to the signal (col. 4 lines 18-34); and a protrusion portion positioned to protrude from the computer device when the connection means is connected to the computer device (col. 4 lines 10-15, fig. 1, element 5), wherein the indicating means is provided in the protrusion portion (col. Lines 18-21).

Allowable Subject Matter

6. Claims 1-19 and 21 are allowed.

7. The following is a statement of reasons for the indication of allowable subject matter: The closest prior art in the field does not teach the combination of features found in independent claims 1 and 21, particularly including a memory unit storing a driver program for the anti-theft device and a program transfer unit that temporarily installs the driver program in the computer device. Claims 2-19 are dependent on claim 1 and are thereby allowable on that basis.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following US Patent Documents teach features of anti-theft devices pertinent to the applicant's disclosure:

French	5,760,690
Reitkerk	5,748,083
D'Angelo et al.	6,133,830
Nilsen et al.	6,529,144
Mori	5,757,270
Streeter	5,574,429
Kim	5,926,092

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

PEC

12-20-06

Paul Callahan

E. Moise
EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER